

Message Text

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22

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

 DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 /027 W

----- 125536

R 231710Z JUL 76

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 6964

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

LIMITED OFFICIAL USE BRASILIA 6474

E.O. 11652: N/A

TAGS: EAIR, BR

SUBJ: CIVAIR: FUEL TAX EXEMPTION

REF: (A) BRASILIA 6473, (B) BRASILIA 5805, (C) BRASILIA 5081

1. FURTHER TO REFTEL (A), IT APPEARS LIKELY THAT CERNAI WILL FORWARD TO FONMIN IN SOME FORM THE RECOMMENDATION THAT FUEL TAX ISSUE BE DEALT WITH VIA A BILATERAL CON NON-SKEDS ON THE GROUNDS THAT WITHOUT AN INTERNATIONAL AGREEMENT FUEL TAX EXEMPTION FOR NON-SKEDS WOULD REQUIRE CHANGE IN BRAZILIAN LAW. CERNAI'S PRESENT LEADERSHIP SEEMS TO BE ATTRACTED BY THE IDEA OF A COMPREHENSIVE CHARTER AGREEMENT PROVIDING A FRAMEWORK FOR ROUTES AND FREQUENCIES AND THEREBY THE APPROVAL OR DISAPPROVAL OF SPECIFIC CHARTER FLIGHOWFLV EMBASSY HADTSARLIER INDICATION OF FONMIN'S RECEPTIVITY TO THIS APPROACH AS REPORTED IN REFTEL (C).

2. PROSPECTIVE BRAZILIAN RESPONSE RAISES QUESTION WHETHER COMPREHENSIVE BILATERAL WOULD BE PREFERABLE TO PRESENT FLUID SITUATION OF AD HOC APPROVALS UNDER WHICH NON-SKEDS HAVE BEEN ABLE TO WORK OUT THEIR PROBLEMS ON A CASE-BY-CASE BASIS AND, IN THE END, HAVE NOT DONE TOO BADLY. WE WOULD SEE POSSIBLE MERIT IN THE IDEA IF WE COULD BE SURE THAT GENEROUS PROVISIONS COULD BE WORKED OUT THUS ASSURING
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NON-SKEDS OF SUBSTANTIAL RIGHTS IN TERMS OF ROUTES AND

FREQUENCIES. BUT IF, AS SEEMS VERY LIKELY, CERNAI WILL
PUSH FOR RESTRICTIVE AGREEMENT, SUCH AN APPROACH MIGHT
WELL WORK OUT TO NON-SKEDS DISADVANTAGE. MORE BASICALLY,
WE DO NOT KNOW, OF COURSE, THE NATURE OF THE AGREEMENT
CERNAI HAS IN MIND AND ITS COMPATIBILITY WITH BASIC
PRINCIPLES OF U.S. AVIATION POLICY.

3. EMBASSY WOULD APPRECIATE AS SOON AS POSSIBLE DEPART-
MENT'S PRELIMINARY COMMENTS ON THE MERITS OF A BILATERAL IN PREPARA-
TION FOR AN INITIAL RESPONSE TO A GOB SUGGESTION. ALSO,
WE NISUME DEPARTMENT WILL WISH TO CONSULT WITH TIA AND
WORLD AIRWAYS IN ORDER TO WEIGH ADVANTAGES AND DISADVANTAGES
OF A BILATERAL VERSUS THE PRESENT FLUID SITUATION.
CRIMMINS

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